

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

MARY ANN PEREA,

Plaintiff,

v.

Case No. 11-cv-930 JB/GBW

SOCIAL SECURITY ADMINISTRATION,

Defendant.

**ORDER**

This matter comes before the Court on Plaintiff's Motion for Attorney's Fees.

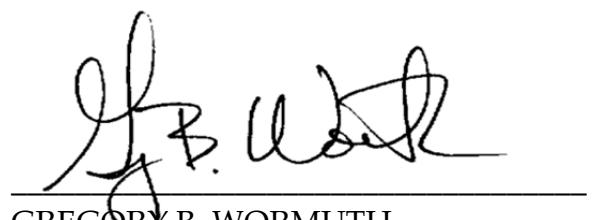
*Doc. 36.* Under the Local Rules, a “[m]ovant must determine whether a motion is opposed, and a motion that omits recitation of a good-faith request for concurrence may be summarily denied.” *See* D.N.M.LR-Civ-7.1(a). The portion of the Motion which apparently is meant to address this requirement confusingly states that “Defendant’s counsel concurs with or opposes or did not respond prior to filing to a request regarding) this motion.” *See id.* at 3. Even taking into account the Motion’s title (“Plaintiff’s Opposed Motion”), it still lacks any indication that a good faith request for concurrence was made. Thus, the Motion does not comply with the Local Rules and is subject to summary denial. *See* D.N.M.LR-Civ-7.1(a).

For its part, Defendant did not respond, timely or otherwise, to Plaintiff’s Motion. Such failure constitutes consent to grant the motion. *See* D.N.M.LR-Civ-7.1(b).

Given that both parties are in violation of the Local Rules such that the motion could be summarily resolved against them, the Court instead orders as follows:

1. Plaintiff shall file a Notice by January 14, 2014, certifying a good faith request for concurrence and the result thereof.
2. If the Motion is in fact opposed, Defendant must respond by January 21, 2014.

IT IS SO ORDERED.



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GREGORY B. WORMUTH  
UNITED STATES MAGISTRATE JUDGE